

What must be covered in my TSMS?

The functional requirements of a TSMS include:

- Policies and procedures to provide direction for the safe operation of towing vessels and protection of the marine environment in compliance with applicable U.S. law, including the Code of Federal Regulations, and if on an international voyage, applicable international conventions to which the United States is a party;
- Defined levels of authority and lines of communication between shoreside and vessel personnel;
- Procedures for reporting accidents and non-conformities;
- Procedures to prepare for and respond to emergency situations by shoreside and vessel personnel;
- Procedures for verification of vessel compliance with this subchapter;
- Procedures for internal auditing of the TSMS, including shoreside and vessel operations;
- Procedures for external audits;
- Procedures for management review of internal and external audit reports and correction of non-conformities; and
- Procedures to evaluate recommendations made by management and other personnel.

Note, 46 CFR Subchapter M, part 138 describes how these procedures are to be documented.

A TSMS must include the following elements listed below as applicable to each company's operations:

SMS administration and management organization

- Management organization
- Audits


Personnel.

- Employment procedures
- Training of personnel

Verification of vessel compliance

- Maintenance and survey
- Safety, environment, and security

Compliance with 46 CFR Subchapter M



TSMS Guide

To obtain general information regarding the Inspection of Towing Vessels Rule or view a list of approved TPOs visit the following Coast Guard Towing Vessel National Center of Expertise internet website:

www.uscg.mil/tvncoe

Or Call 270-444-7715


Are there other SMSs I may use to meet these requirements?

Yes, an existing Safety Management System (SMS) which is fully compliant with the International Safety Management (ISM) Code requirements, implemented in 33 CFR part 96, will be deemed in compliance with TSMS-related requirements in Subchapter M.

Non-ISM Code existing SMSs may also be considered for meeting the TSMS requirements. The Coast Guard will announce those that are accepted on the TVNCOE website: www.uscg.mil/tvncoe.

It is important to note that any standard being used to meet the TSMS requirements of this rule, must meet all of the functional requirements and elements of a TSMS under Subchapter M.


Furthermore, owners or managing operators must submit documents and other objective evidence as required under 46 CFR Subchapter M, part 138 to the Coast Guard to demonstrate they have implemented the existing SMS, and that it has been audited and is compliant with all applicable regulations.




TSMS Guide

46 CFR Subchapter M - Towing Vessels

Towing Safety Management System (TSMS), Part 138





The Basics

The Coast Guard has issued a final rule that requires owners or operators of certain commercial towing vessels to have these towing vessels inspected. To provide flexibility, vessel operators will have the choice of two inspection regimes:

- They may have the Coast Guard inspect their vessel as they traditionally do for other segments of the maritime industry; or
- They can develop and implement a Towing Safety Management System (TSMS) and have the audits and surveys required by this rule conducted or overseen by a Third-Party Organization (TPO) authorized by the Coast Guard.

Under the TSMS option, the Coast Guard will still conduct some inspections, but the routine work of ensuring compliance with Subchapter M will primarily be performed by Third-Party Organization (TPOs), which may include classification societies.

Frequently Asked Questions

Am I required to have a TSMS?

No. A TSMS is only required if a company chooses to use a TPO and the TSMS option for inspection of their vessels. However, all companies are highly encouraged to develop and implement a SMS. Evidence has shown that a well constructed and implemented SMS substantially increases safety and crew, vessel, and management efficiency.

How & when is my TSMS evaluated?

Once the Inspection of Towing Vessels final rule becomes effective companies may use a TPO to audit their TSMS. External audits for obtaining and renewing a TSMS certificate are conducted through a TPO and must include both management and vessel audits as follows:

Management audits - Prior to the issuance of the initial TSMS Certificate, and subsequent renewals.

Mid-period management audit - Conducted between the 27th and 33rd month of the certificate's period of validity.

Vessel audits - Conducted prior to the issuance of the initial Certificate of Inspection (COI) for vessels that have been owned or operated for 6 or more months prior to receiving the initial COI.

An external audit must be conducted no later than six months after the issuance of the initial COI for vessels that have been owned or operated for fewer than six months prior to receiving the initial COI.

An external audit of all vessels covered by a TSMS certificate must be conducted during the 5-year period of validity of the TSMS certificate.

When do I need my TSMS Certificate and who will issue it?

Owners or managing operators selecting the TSMS option must obtain a TSMS Certificate at least 6 months before obtaining a COI for any of their vessels covered by the TSMS Certificate.

The owner or managing operator will be issued a TSMS Certificate by a TPO when the owner or managing operator is deemed to be in compliance with the TSMS requirements. The TSMS must be available for review, at the request of the Coast Guard.

How long is the TSMS Certificate good for?

A TSMS Certificate is valid for 5 years from the date of issue, unless suspended, revoked or rescinded as provided for in the rule.



How to Find this Rule

Subchapter M

The Inspection of Towing Vessels final rule was published in the *Federal Register* on June 20, 2016. Here is link to an official copy: [\[link to GPO PDF\]](#). The rule's citation is 81 FR 40004. The regulations in this rule will appear in Subchapter M, Towing Vessels, in Title 46 of the Code of Federal Regulations.

A copy of the rule is also available in our online rulemaking docket. Simply search for docket number USCG-2006-24412 at www.regulations.gov.

